

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

UNITED STATES OF AMERICA

v.

VALACHIE WENDELL HENDON

DOCKET NO. 1:24CR-18-MOC-WCM

BILL OF INDICTMENT

VIOLATIONS:

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(c)

21 U.S.C. § 841(a)(1)

THE GRAND JURY CHARGES:

COUNT ONE

FILED
ASHEVILLE, NC

APR 02 2024

U.S. DISTRICT COURT
W. DISTRICT OF N.C.

On or about April 28, 2023, in Buncombe County, within the Western
District of North Carolina, and elsewhere,

VALACHIE WENDELL HENDON

did knowingly and intentionally distribute a controlled substance, which violation
involved a mixture and substance containing a detectable amount of N-phenyl-N-
[1-(2-phenylethyl)-4 piperidinyl] propenamide, also known as fentanyl, a Schedule
II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

Quantity of Fentanyl Involved

With respect to the defendant, **VALACHIE WENDELL HENDON**, the
offense charged in Count One involved a quantity of a mixture and substance
containing a detectable amount of fentanyl. Accordingly, Title 21, United States
Code, Section 841(b)(1)(C) applies.

COUNT TWO

On or about May 10, 2023, in Buncombe County, within the Western District of North Carolina, and elsewhere,

VALACHIE WENDELL HENDON

did knowingly and intentionally distribute a controlled substance, which violation involved a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propenamide, also known as fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

Quantity of Fentanyl Involved

With respect to the defendant, **VALACHIE WENDELL HENDON**, the offense charged in Count Two involved a quantity of a mixture and substance containing a detectable amount of fentanyl. Accordingly, Title 21, United States Code, Section 841(b)(1)(C) applies.

COUNT THREE

On or about May 18, 2023, in Buncombe County, within the Western District of North Carolina, and elsewhere,

VALACHIE WENDELL HENDON

did knowingly and intentionally distribute a controlled substance, which violation involved a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propenamide, also known as fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

Quantity of Fentanyl Involved

With respect to the defendant, **VALACHIE WENDELL HENDON**, the offense charged in Count Three involved a quantity of a mixture and substance

containing a detectable amount of fentanyl. Accordingly, Title 21, United States Code, Section 841(b)(1)(C) applies.

COUNT FOUR

On or about May 18, 2023, in Buncombe County, within the Western District of North Carolina, and elsewhere,

VALACHIE WENDELL HENDON

knowing that he had been previously convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess a firearm and ammunition in and affecting commerce, that being, an Anderson Manufacturing, model AM-15, 6.8 caliber rifle and 32 rounds of 6.8 caliber ammunition.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT FIVE

On or about May 23, 2023, in Buncombe County, within the Western District of North Carolina, and elsewhere,

VALACHIE WENDELL HENDON

did knowingly and intentionally distribute controlled substances, which violation involved (i) methamphetamine (actual) and (ii) a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propenamide, also known as fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

Quantity of Methamphetamine (Actual) Involved

With respect to the defendant, **VALACHIE WENDELL HENDON**, the offense charged in Count Five involved five (5) grams or more of methamphetamine (actual). Accordingly, Title 21, United States Code, Section 841(b)(1)(B) applies.

Quantity of Fentanyl Involved

With respect to the defendant, **VALACHIE WENDELL HENDON**, the offense charged in Count Five involved a quantity of a mixture and substance containing a detectable amount of fentanyl. Accordingly, Title 21, United States Code, Section 841(b)(1)(C) applies.

COUNT SIX

On or about May 23, 2023, in Buncombe County, within the Western District of North Carolina, and elsewhere,

VALACHIE WENDELL HENDON

knowing that he had been previously convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess a firearm and ammunition in and affecting commerce, that being, a Smith and Wesson M&P 9C 9mm pistol and 49 rounds of 9mm ammunition.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT SEVEN

On or about May 23, 2023, in Buncombe County, within the Western District of North Carolina, and elsewhere,

VALACHIE WENDELL HENDON

did knowingly use one or more firearms, during and in relation to a drug trafficking crime, that is, knowingly and intentionally distributing controlled substances, for which the defendant may be prosecuted in a Court of the United States, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT EIGHT

On or about May 30, 2023, in Buncombe County, within the Western District of North Carolina, and elsewhere,

VALACHIE WENDELL HENDON

did knowingly and intentionally possess with intent to distribute a controlled substance, which violation involved a mixture and substance containing N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propenamide, also known as fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

Quantity of Fentanyl Involved

With respect to the defendant, **VALACHIE WENDELL HENDON**, the offense charged in Count Seven involved forty (40) grams or more of a mixture and substance containing fentanyl. Accordingly, Title 21, United States Code, Section 841(b)(1)(B) applies.

COUNT NINE

On or about May 30, 2023, in Buncombe County, within the Western District of North Carolina, and elsewhere,

VALACHIE WENDELL HENDON

knowing that he had been previously convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess firearms in and affecting commerce, those being, a GSG Firefly .22 caliber pistol, a Taurus Judge .45/.410 caliber revolver, an AKKAR 612 12 gauge shotgun, a Cobray PM-11 9mm pistol, a Century Arms RAS47 7.62x39 caliber AK type rifle, and a Smith and Wesson model 500 .500 S&W Magnum caliber revolver.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT TEN

On or about May 30, 2023, in Buncombe County, within the Western District of North Carolina, and elsewhere,

VALACHIE WENDELL HENDON

did knowingly and unlawfully possess one or more firearms in furtherance of a drug trafficking crime, that is, possession with intent to distribute a controlled substance, for which the defendant may be prosecuted in a Court of the United States, in violation of Title 18, United States Code, Section 924(c)(1)(A).

NOTICE OF FORFEITURE AND FINDING OF PROBABLE CAUSE

Notice is hereby given of 21 U.S.C. § 853, 18 U.S.C. § 924, and 28 U.S.C. § 2461(c). The following property is subject to forfeiture in accordance with Section 853, 924, and/or 2461(c):

- a. All property which constitutes or is derived from proceeds of the violations set forth in this bill of indictment;
- b. All property used or intended to be used in any manner or part to commit or facilitate such violations;
- c. All firearms or ammunition involved or used in such violations; and
- d. If, as set forth in 21 U.S.C. § 853(p), any property described in (a), (b), or (c) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant/s to the extent of the value of the property described in (a), (b), and (c).

The Grand Jury finds probable cause to believe that the following property is subject to forfeiture on one or more of the grounds stated above:

1. An Anderson Manufacturing, model AM-15, 6.8 SPC caliber, AR-type rifle, serial number 03562F13.
2. A Smith and Wesson, model M&P 9c, 9mm pistol, serial number HPR2933.
3. 49 rounds of various 9mm ammunition.
4. 32 rounds of various 6.8mm SPC ammunition.
5. A blue and yellow privately manufactured 9mm pistol.
6. A black and gold privately manufactured 9mm pistol.
7. A GSG Firefly .22 caliber pistol, serial number F436403.
8. A Taurus Judge .45/.410 caliber revolver, serial number ABB286229.
9. An AKKAR 612, 12 gauge shotgun, serial number 20054685.
10. A Cobray Industries, PM-11, 9mm semiautomatic pistol, serial number 94-0006942.
11. A Century Arms, RAS47, 7.62x39 caliber, AK type rifle, serial number RAS47075753.
12. A Smith and Wesson model 500, .500 S&W Magnum caliber revolver, serial number DMU1421.
13. Various .500 S&W Magnum caliber ammunition.
14. Various 12 gauge ammunition.

15. Various 6.8 caliber ammunition.
16. Various .45 caliber ammunition.
17. Various .32 caliber ammunition.
18. Various .357 Sig caliber ammunition.
19. Various .40 caliber ammunition.

A TRUE BILL: —

Redacted

DENA J. KING
UNITED STATES ATTORNEY



DAVID A. THORNELOE
ASSISTANT UNITED STATES ATTORNEY